

**Henry P. Roybal**  
Commissioner, District 1

**Miguel M. Chavez**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Kathy Holian**  
Commissioner, District 4

**Liz Stefanics**  
Commissioner, District 5

**Katherine Miller**  
County Manager

**DATE:** April 28, 2015

**TO:** Board of County Commissioners

**FROM:** Miguel "Mike" Romero, Senior Development Review Spec **MR**

**VIA:** Katherine Miller, County Manager  
Penny Ellis-Green, Growth Management Director **PEG**  
Vicki Lucero, Building and Development Services Manager **VL**  
Wayne Dalton, Building and Development Services Supervisor **WD**

**FILE REF:** CDRC CASE # V 15-5000 Victor Duran Density Variance

**ISSUE:**

Victor Duran, Applicant, requests a variance of Santa Fe County Ordinances 1996-10 and the amendments thereto contained in Ordinance 2002-9, (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District) Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

The property is located within the Traditional Historic Community of La Cieneguilla at 18 Calle Lisa, Within Section 7, Township 16, North, Range 7 East (Commission District 3)

**Vicinity Map:**



## SUMMARY:

On March 19, 2015, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval, of the Applicant's request with staff conditions by a unanimous 6-0 vote.

The subject property, Lot C4 is part of the Vista Land Subdivision, a subdivision created in 1974, and is recognized as a legal lot of record. The Applicant has provided proof of ownership of the property by providing a warranty deed which was recorded in the County Clerk's Office on June 21, 1977 Book 349, Page 442. Currently the Applicant and his wife reside in the main dwelling unit (2,300 sq. ft.), and the Applicant's son and wife reside in the second dwelling unit ( 1,200 sq. ft.).

The Applicant has stated that a liquid waste system was permitted and installed on the property in 1979 when the residence was constructed. The Applicant has provided an ariel photograph taken in 1981 that illustrates one residence on the property. However, the New Mexico Environment Department (NMED) has no record of the liquid waste system being permitted. Since that time the Applicant has obtained two new septic permits from NMED (SF150014) and (SF150015) to modify the existing liquid waste systems for both the main residence and for the second dwelling unit.

On November 18, 2014, the Building and Development Services Division received a written complaint from an adjoining neighbor regarding a potential density violation on the Applicants property. On November 20, 2014, Code Enforcement conducted an inspection on the property. At that time the Applicant was issued a Notice of Violation for Unpermitted Development and Junk Vehicles. Since that time staff has received two written letters of oposition regarding the Applicants request to have two dwelling units on 2.5 acres (Exhibit 12). The Applciant has stated that in 1995 he converted his garage (permitted in 1988) into a dwelling unit to help provide 24 hour care for his elderly Great Aunt. Since the passing of his Great Aunt the Applicant has allowed his son and his family to reside in the second dwelling unit.

The Applicant states a variance is needed in order to keep the second dwelling unit. The Applicant's wish is to have his elderly father reside in the second dwelling unit along with his son and daughter-in-law to help provide care for his father.

Section 6.25.2 (Review of Applications Requesting Increased Zoning Density) of Ordinance No. 2002-9 states "when examining requests for increases in zoning density, all applicable review bodies shall consider the proposed development's impact on factors such as but not limited to traffic, schools, water, liquid waste, and infrastructure as part of the development review process. It is appropriate requests for increases in zoning density to be denied in the Planning Area if the reviewing body determines that there is a reasonable expectation, based on the evidence presented, that the development would negatively impact the community and/or surrounding neighbors."

An increase in density from one dwelling unit per 10 acres to two dwelling units per 2.5 acres would set a precedent that could negatively impact the community and neighboring properties due to potential water quality issues from the increase in liquid waste disposal and an overall increase in water use. Increased density would also increase traffic and could create a health safety issue due to the lack of fire protection in the area. At this time the Applicant does not have any water restrictions for his 2.5 acres. However, with new development the Applicant will be restricted to 0.25 acre feet per year per dwelling unit as identified in staff condition number 1.

Article II, § 3 (Variances) of the County Code states: "Where in the case of proposed development, it can be shown that strict compliance with the requirements of the code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the purposes of the Code, the applicant may submit a written request for a variance." This Section goes on to state "In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified."

**This Application was submitted on January 9, 2015.**

**On March 19, 2015, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval, with staff conditions of the Applicant's request by a unanimous 6-0 vote.**

1. Water use shall be restricted to 0.25 acre feet per year per dwelling unit. A water meter shall be installed for each home within ninety (90) days of recording the order granting the variance. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of submission for a Development Permit (**As per Article III Section 10.2.2 and Ordinance No. 2002-13**).
2. The Applicant must obtain a Development Permit from the Building and Development Services Division for the second dwelling unit within ninety (90) days of recording the final order granting the variance. (**As per Article II, Section 2**). The placement of additional dwelling units or Division of Land is prohibited on the property. (**As per Ordinance No. 2002-9, Section 6.4**) (**Zoning Density**).
3. All Junk Vehicles must be removed from the property within ninety (90) days of recording the final order granting the variance. (**As per Ordinance 1993-6**).
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application. (**As per 1997 Fire Code and NFPA Life Safety Code**).
5. These conditions are precedent to granting of the variance. If the Applicant fails to comply with any conditions set forth above within the time periods provided, the variance shall be denied.

The Applicant has provided sufficient noticing by providing notice in the New Mexican, which was published on February 26, 2015. The Applicant has also provided certified mail receipts (dated February 24, 2015) and certification of posting acknowledgement that the public notice has been posted for 21 days on the property.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request.

**APPROVAL SOUGHT:** Approval of a Variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.50 acres.

**GROWTH MANAGEMENT AREA:** SDA-2

**HYDROLOGIC ZONE:** The property is located within the Traditional Historic Community of La Cieneguilla Basin Hydrologic Zone and Basin Fringe. Minimum lot size in the Basin Zone is 10 acres per dwelling unit and in the Basin Fringe is 50 acres per dwelling unit. Basin Zone Lot size can be reduced to 2.5 acres per dwelling unit with proof of 100 year water supply through a geohydrology reconnaissance report, and adoption of water use covenants and Basin Fringe lot size can be reduced to 12.5 acres with proof of 100 year water supply through a geohydrology reconnaissance report, and adoption of water use covenants.

**FIRE PROTECTION:** La Cienega Fire District.

**WATER SUPPLY:** Domestic well

**LIQUID WASTE:** Conventional Septic System permitted for the main residence and a Conventional Septic System permitted for the second dwelling unit. During the inspection NMED required the Applicant to replace the leach line and septic tank to the main residence. The Applicant states that NMED has given him a year and a half to replace the leach line and septic tank.

**VARIANCES:** The Applicant requests a variance of Ordinance No. 2002-9, (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District) Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

**AGENCY REVIEW:**

Agency:  
Fire Prevention

Recommendation:  
Approval

**STAFF RECOMMENDATION:** Staff recommends denial of a variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

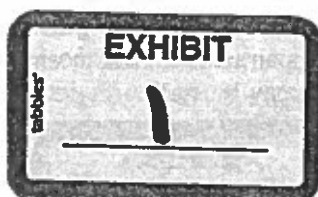
The decision of the CDRC was to recommend approval of the Applicant's request, subject to the following conditions:

1. Water use shall be restricted to 0.25 acre feet per year per dwelling unit. A water meter shall be installed for each home within ninety (90) days of recording the order granting the variance. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of submission for a Development Permit (As per Article III Section 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a Development Permit from the Building and Development Services Division for the second dwelling unit within ninety (90) days of recording the final order granting the variance. (As per Article II, Section 2). The placement of additional dwelling units or Division of Land is prohibited on the property. (As per Ordinance No. 2002-9, Section 6.4) (Zoning Density).
3. All Junk Vehicles must be removed from the property within ninety (90) days of recording the final order granting the variance. (As per Ordinance 1993-).
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application. (As per 1997 Fire Code and NFPA Life Safety Code).
5. These conditions are precedent to granting of the variance. If the Applicant fails to comply with any conditions set forth above within the time periods provided, the variance shall be denied.

1. Letter of request
2. Ordinance No. 2002-9 Section 6.4 (Zoning Density)
3. Article II, Section 3 (Variances)
4. Site Plan
5. Site Photographs
6. Recorded Survey Plat
7. Recorded Warranty Deeds
8. Aerials of Site and Surrounding Area

9. 1981 Aerial Photograph
10. Public Noticing
11. Fire Prevention Letter
12. Letters of Opposition
13. March 19, 2015, CDRC Meeting Minutes
14. NMED Liquid Waste Permit
15. Written Complaint from Adjacent Property Owner

To Santa Fe County officials, I Victor a. Duran reside @ 18 Calle Lisa in Santa Fe county. On July 19, 1988 I applied for a building permit for a garage structure & completed in February of 1980. I used it for my vehicles part of space for storage, until 1995. I encountered some problems with my Great Aunt who was @ the time approximately 95 years of age and unfortunately got very weak and was placed in the facility called La Residencia. Me and my family had a very close relationship with our aunt and it was very hard to see her so frail. We had no idea how long her stay would be there or if she would gain her health back and be able to leave the care facility @ some time or not. When she was admitted to La Residencia two of my aunts nieces didn't waste any time and took over her residence saying we had 24 hrs. to remove anything we wanted from the house. They did this unbelievable act under a term called an irrevocable trust. The lawyer they had was a very well educated lawyer that knew all the tricks and then some. So after about 3 months that my aunt stayed @ La Residencia, She was going to be released & we didn't know what to do because of what had just happened with her home. We had to come up with something fast & this is where the idea came up of making a place for her to live, out of my garage. We worked out a plan on how things could be arranged & commenced to transform the garage into her home. We had to do this because my aunt had no money & I couldn't afford to place her in another home. My aunt couldn't claim any assistance because on paper she still owned property. The cost then was @ \$3000.00 a month without any extras included. This was just unthinkable. With some help and will power from all involved we transformed my garage into my aunts home, where she could have care close by and be comfortable. It was very hard for her to understand what happened to her home & it took months to get her to understand a little of what took place. So here we are requesting a variance to be able to keep the converted garage as a guest house. My aunt lived to be 99 ½ years of age. Since then we have used it for family in need again & again. Times have been very hard for everyone and the benefit of having this home to lean on in time of need has been a blessing. My father is now 86 & is in not able to care for himself totally on his own so now between family we are planning on rotating a month or more @ a time and this guest house will save a lot of expense. I included a copy of the Vista Land subdivision covenants and I think that when the application was presented to the county for review, these had to have been in place as were all other papers concerning the Vista Land Subdivision. As you look through these recorded documents, you will see two highlighted paragraphs letters "A" & "F" mention covenants regarding a guest house or a studio. When I bought my lot here @ 18 Calle Lisa, I did so because of what the covenants state concerning another dwelling. I am a law abiding citizen, a veteran of Vietnam & I did what I did in converting my garage in order to survive a hardship. I did not intend to break any rules or laws. Because I had the building I thought I could use it as I needed it. I am now working with a licensed company that does septic inspections to satisfy the environmental dept. I will get everything in order that needs to be concerned with to the liking of Santa Fe County. I appreciate your consideration with my request. If there other questions I will provide answers. I thank you for your time and consideration with my request. Sincerely, Victor A Duran



plan approval where such approval is required, at the time of adoption of this Ordinance, shall comply with this ordinance. This Ordinance and standards may be amended from time to time.

**6.4 Zoning Density:**

**6.4.1 Traditional Community Zoning District:**

Maximum density is three quarters of an acre per one dwelling unit (.75 acre). Density adjustments must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased even when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained. Note: the Traditional Community Zoning District is located within the Traditional Historic Community boundary but the .75 acre zoning density applies only in the Traditional Community Zoning District. See attached map b.), *La Cienega Traditional Community Zoning District*.

**6.4.2 Basin Zone:**

Maximum density in the Basin Zone shall be ten acres per one dwelling unit (10 acres). With proof of 100 year water supply through a geohydrologic reconnaissance report, and adoption of water use covenants (See Attachment 1), the maximum density may be increased to one dwelling unit per 2.5 acres. Density adjustments above one dwelling unit per 10 acres must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased even when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained.

**6.4.3 Basin Fringe Zone:**

Maximum density in the Basin Fringe Zone shall be fifty acres per one dwelling unit (50 acres). With proof of 100 year water supply through a geohydrologic reconnaissance report, and application of water use covenants (See Attachment 1), the maximum density may be increased to one dwelling unit per 12.5 acres. If an adequate 100 year supply of water, and no impairment to neighboring wells, is proven by an on-site geohydrological well test, land may be further divided to a maximum of 2.5 acres per dwelling unit. Density adjustments above one dwelling unit per 50 acres must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased even when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained.

**6.4.4 Homestead Zone:**

Maximum density in the Homestead Zone shall be one hundred and sixty acres per one dwelling unit (160 acres). With proof of 100 year water supply through a geohydrologic reconnaissance report, and application of water use covenants (See Attachment 1), the maximum density may be increased to one dwelling unit per 40 acres. If an adequate 100 year supply of water, and no impairment to neighboring wells, is proven by an on-site geohydrological well test, land may be further divided to a minimum of 2.5 acres per





**2.5 Zoning**

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

**2.6 Subdivisions**

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

**2.7 Other Requirements**

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.

**SECTION 3 - VARIANCES****3.1 Proposed Development**

Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking or property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.

**3.2 Variation or Modification**

In no case shall any variation or modification be more than a minimum easing of the requirements.

**3.3 Granting Variances and Modifications**

In granting variances, and modifications, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

**3.4 Height Variance in Airport Zones**

All height variance requests for land located with approach, Transitional, Horizontal and Conical surfaces as described within Map #31 A, incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the





SCALE 1" = 40'

PLOT PLAN

LEGAL DESCRIPTION  
 LOT 4 BLOCK C  
 VISTA LAND SUB-  
 DIVISION  
 LA CIENEGUITA  
 SANTA FE COUNTY

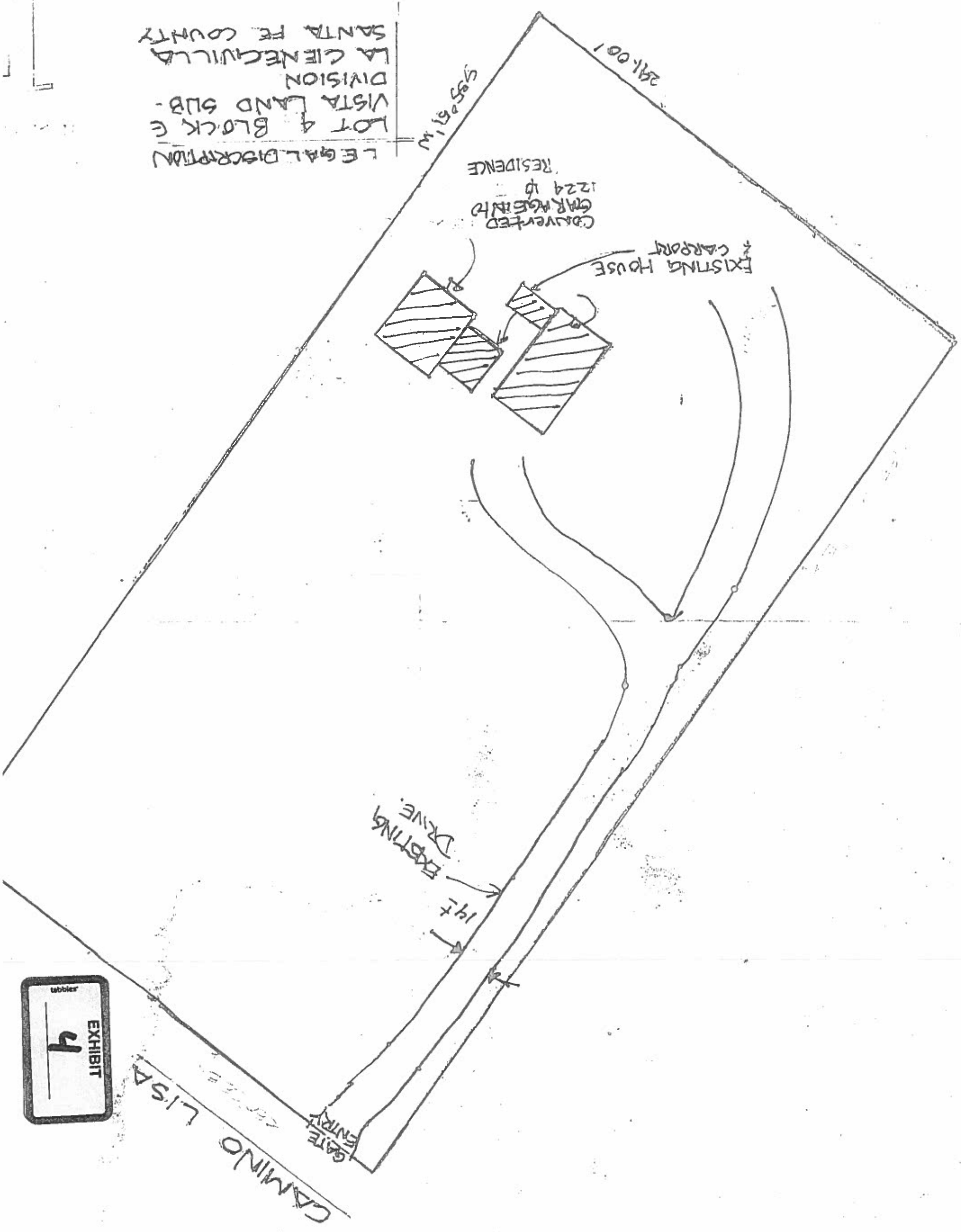
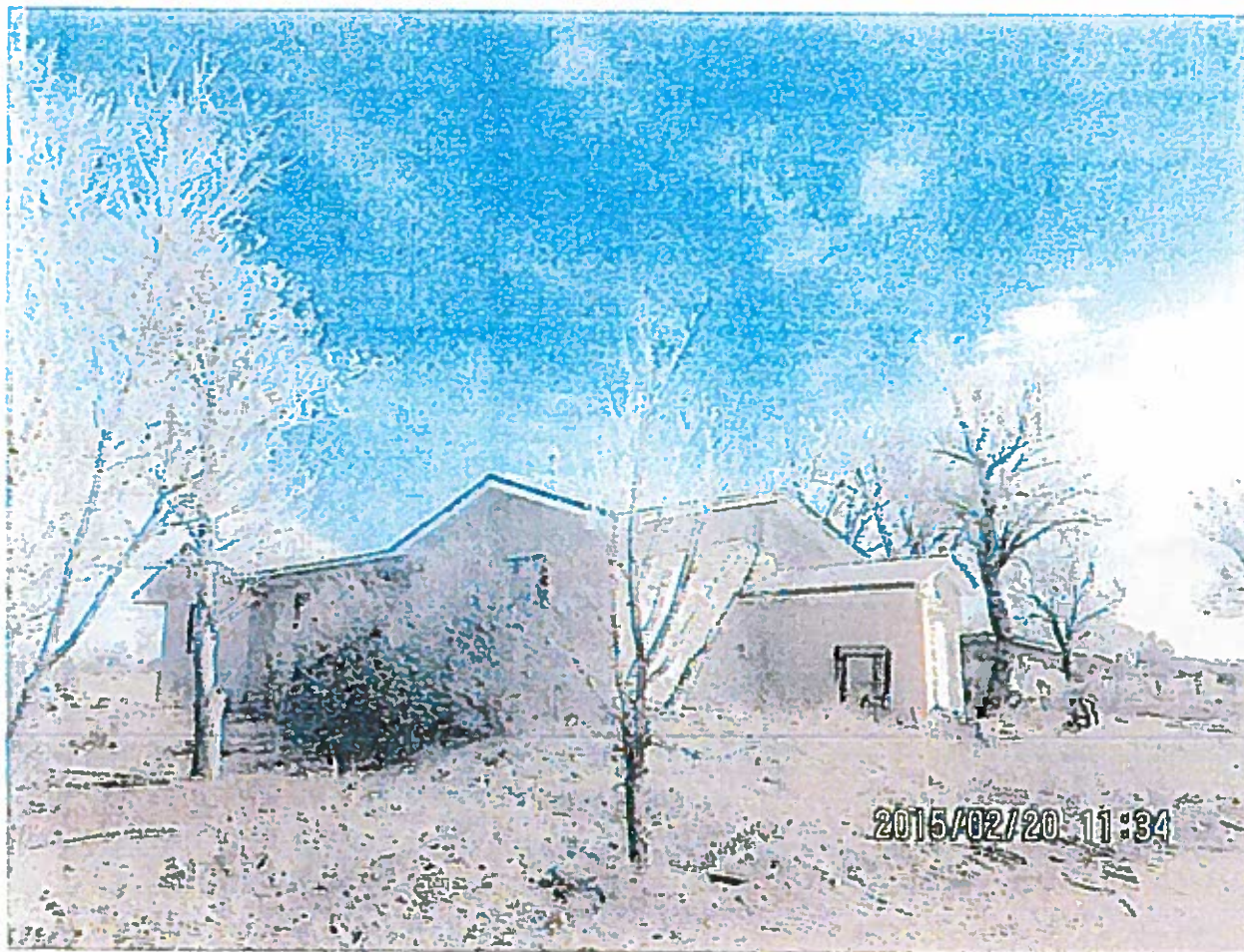
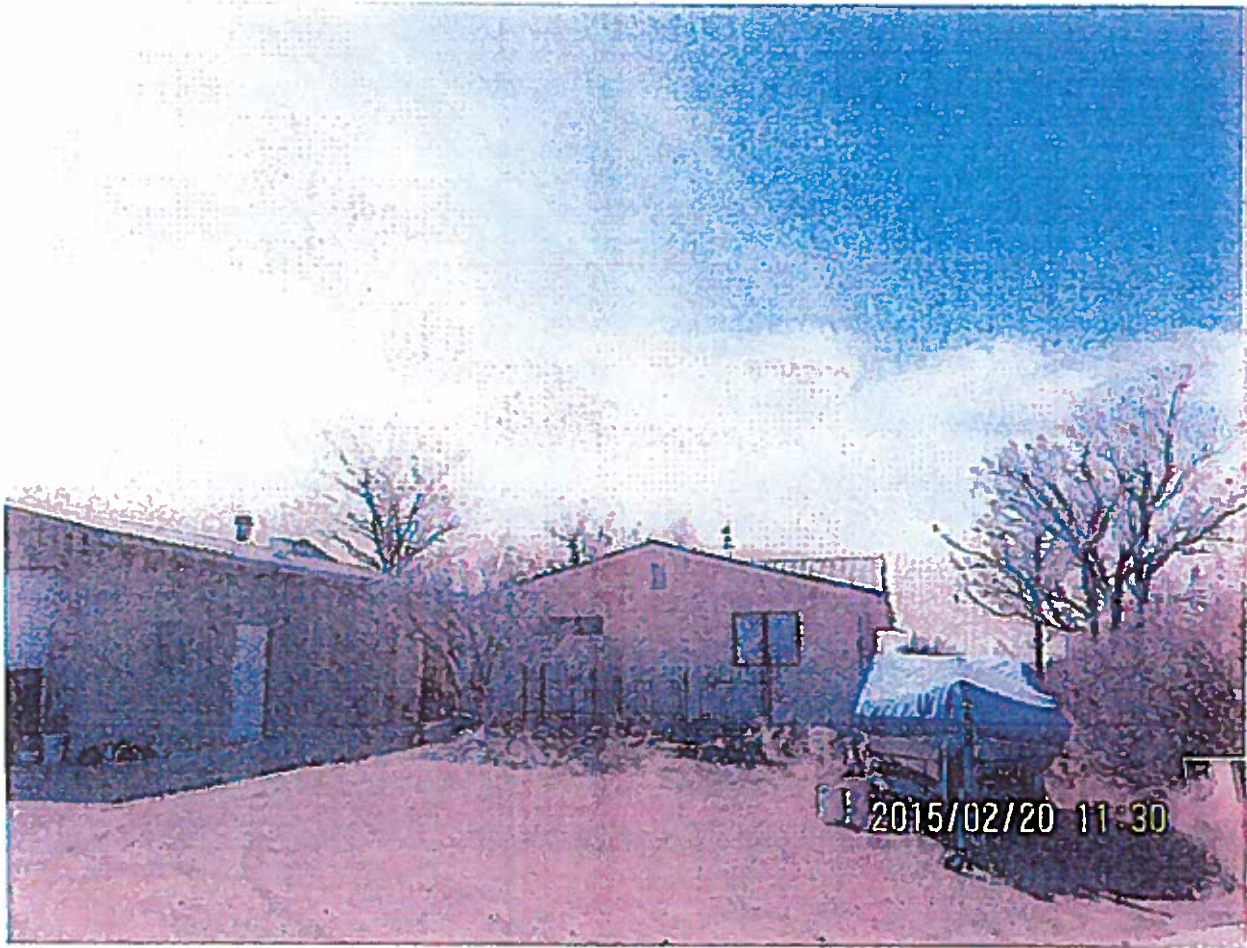


EXHIBIT  
 4

















# VISTA LAND SUBDIVISION SHEET 1 OF 2

13°30' Magnetic  
Declination (1952)



T.16N.  
R.8E.  
Sec. 8  
Sec. 17

Tie to intersection of Sec. 8 & Sec. 7  
West boundary of Cieneguilla Grant

## 20' DRAINAGE EASTMENTS

ARROYO "A"	ARROYO "B"	ARROYO "C"
a-b N89°01'E. 208'	a-b N39°24'E. 100'	a-b N83°44'E. 190'
b-c S82°38'E. 73'	b-c N18°36'W. 120'	b-c N62°41'E. 580'
c-d N83°36'E. 163'	c-d N18°54'E. 140'	c-d N11°16'E. 275'
d-e N53°20'E. 183'	d-e N89°24'E. 150'	d-e N18°25'E. 157'
e-f S51°53'E. 128'	e-f N18°54'E. 125'	e-f N51°00'E. 195'
f-g N44°22'E. 132'	f-g S73°26'E. 2500'	f-g N29°47'E. 308'
g-h S59°34'E. 355'		g-h N81°23'E. 310'
h-i S63°02'E. 308'		Channel change Lot 3, Block 10
i-j S87°30'E. 51'		e-i S37°35'E. 100'
j-k S51°14'E. 48'		
k-l S81°37'E. 131'		
l-m S78°01'E. 298'		
m-n N75°32'E. 149'		
n-o S60°12'E. 100'		
o-p N20°37'E. 68'		
p-q S87°41'E. 142'		
q-r N72°19'E. 325'		
Branch to S.E.		
m-s S38°00'E. 120'		
s-t S49°33'E. 388'		

CERTIFICATE OF THE  
COUNTY CLERK OF SANTA FE  
STATE OF NEW MEXICO  
I hereby certify that the foregoing plat  
is a true and correct copy of the  
original filed in my office on the  
17th day of July, 1954.  
and was duly recorded in book 35  
page 1 of the records of Santa Fe County.  
Witness my hand and seal of office  
CAROLINA E. GONZALEZ  
County Clerk, Santa Fe County, N.M.  
D. Green

Scale: 1"=200'

## CURVE DATA

CURVE	LOT	BLOCK	RADIUS	CHORD	ANGLE
A			76394'	S. 46° 47' N. 266.98'	17° 51'
A-1	1	9	83394'	S. 46° 47' N. 258.79'	17° 51'
B			337.28'	S. 27° 02' 51" W. 302.43'	53° 19'
B-1	12	9	267.05'	S. 27° 25' N. 296.11'	53° 19'
C			200.00'	N. 44° 45' 57" E. 233.79'	97° 23'
C-1	8	6	200.00'	N. 35° 57' N. 100.00'	20° 58'
C-2	1	7	200.00'	N. 35° 57' N. 100.00'	3° 28'
C-3			200.00'	N. 75° 40' W. 100.00'	20° 58'
C-4			150.00'	N. 44° 45' 57" E. 233.79'	97° 23'
C-5			863.97'	N. 25° 51' 55" E. 72.85'	17° 51'
C-6			913.28'	N. 25° 51' 55" E. 72.85'	17° 51'
C-7			913.28'	N. 25° 51' 55" E. 72.85'	17° 51'
C-8	2	10	913.28'	N. 25° 51' 55" E. 72.85'	17° 51'
C-9	3	10	913.28'	N. 25° 51' 55" E. 72.85'	17° 51'
C-10			400.00'	N. 18° 54' E. 125.62'	16° 22'
H	4	9	350.00'	N. 17° 53' 55" E. 354.07'	16° 22'
H-1	5	9	350.00'	N. 17° 53' 55" E. 354.07'	16° 22'
I			500.00'	N. 27° 56' E. 368.12'	45° 18'
J			5000'	N. 53° 45' N. 53.20'	78° 28'
K	8	2	5000'	S. 17° 22' N. 78.01'	75° 36'
K-1	9	2	5000'	S. 17° 22' N. 78.01'	75° 36'
K-2			5000'	S. 30° 25' E. 66.52'	13° 12'
K-3			5000'	N. 32° 42' E. 28.51'	50° 5'
K-4			5000'	S. 32° 42' N. 212.15'	50° 5'

EXHIBIT  
9

BLOCK 3



# WARRANTY DEED (Joint Tenants)

349442

VISTA LAND COMPANY, A New Mexico Corporation

Victor A. Duran

for consideration paid, grant

whose address is P. O. Box 2605

Santa Fe, New Mexico 87501

and Geraldine R. Duran, his wife

whose address is P. O. Box 2605

Santa Fe, New Mexico 87501

as joint tenants the following described real estate in

Santa Fe

County, New Mexico

Lot 4, Block 2 of the VISTA LAND SUBDIVISION recorded  
2 April 1974 as Document Number 363436 in the Office  
of The Santa Fe County Clerk in Santa Fe, New Mexico.

Subject to Reservations, Restrictions and Easements  
of Record.

404,361

STATE OF NEW MEXICO

COUNTY OF SANTA FE

Witness my Hand and Seal of Office

DANNY ORTIZ

County Clerk, Santa Fe County, N.M.

I hereby certify that this instrument was filed  
for record on the 31st day of June A.D.

1977 at 9:41 o'clock P.M.

and was duly recorded in my book 215,  
page 472 of the records of Santa Fe County.

Wm. R. Williams  
DEPUTY

with warranty covenants.

WITNESS OUR HANDS and SEAL this 17th day of June 1977

ATTEST:

(Seal)

VISTA LAND COMPANY

(Seal)

Richard P. Montoya  
Secretary

(Seal)

By

Garrett R. Luthana  
President

(Seal)

## ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF

31.

The foregoing instrument was acknowledged before me this 17th day of June 1977

by (Name or Names of Person or Persons Acknowledging)

My commission expires (Seal)

Notary Public

FOR RECORDER'S USE ONLY

## ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF SANTA FE

The foregoing instrument was acknowledged before me this 17th day of June 1977

by Garrett R. Luthana (Name of Officer)  
President Vista Land Company

(Title of Officer) (Name of Corporation Acknowledging)  
Vista Land Company

(State of Incorporation) corporation, on behalf of said corporation.

My commission expires September 26, 1979

THE WILLIAMS CO. (ALBUQUERQUE, N. M. 80001)

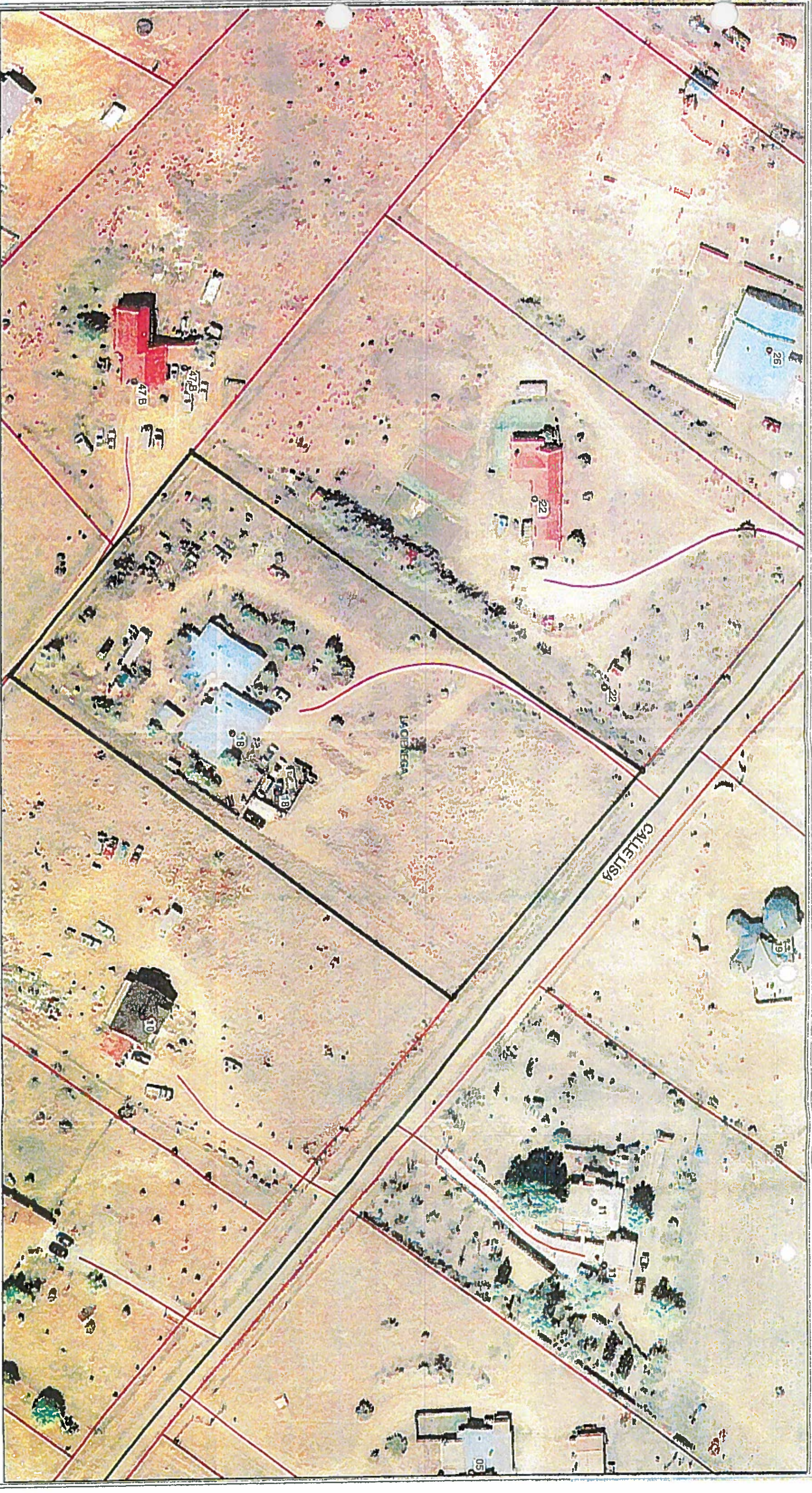
EXHIBIT

7

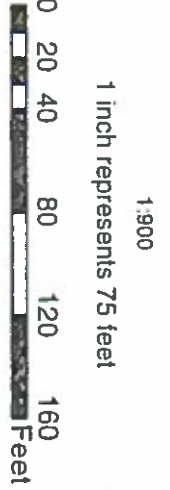
17







- Legend**
- ROADS
  - DRIVEWAYS
  - PARCELS

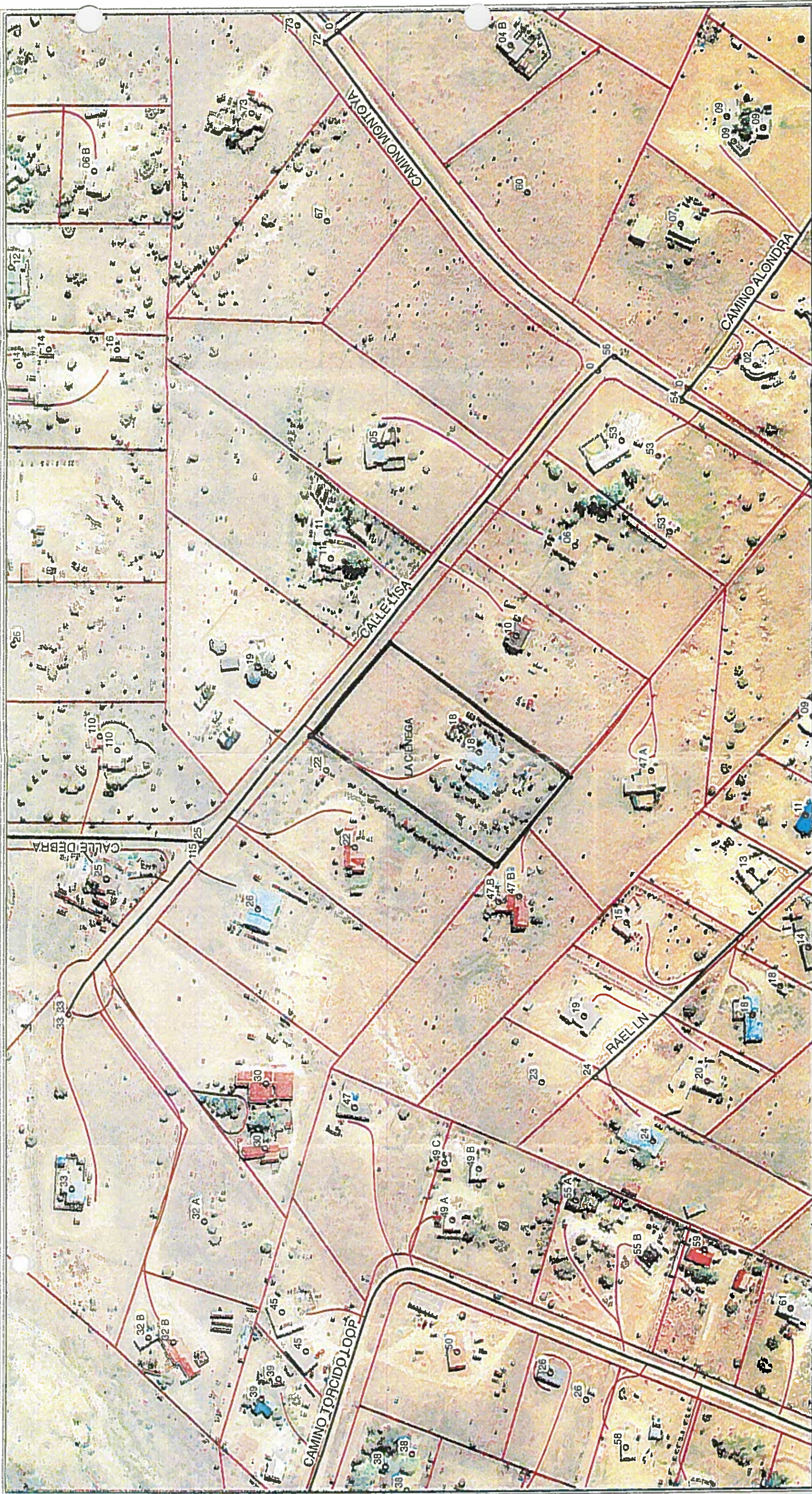


This information is for reference only. Santa Fe County assumes no responsibility for errors associated with the use of this information. User are solely responsible for confirming data accuracy.



February 11, 2015





2008 Imagery  
2 FOOT CONTOURS



February 11, 2015

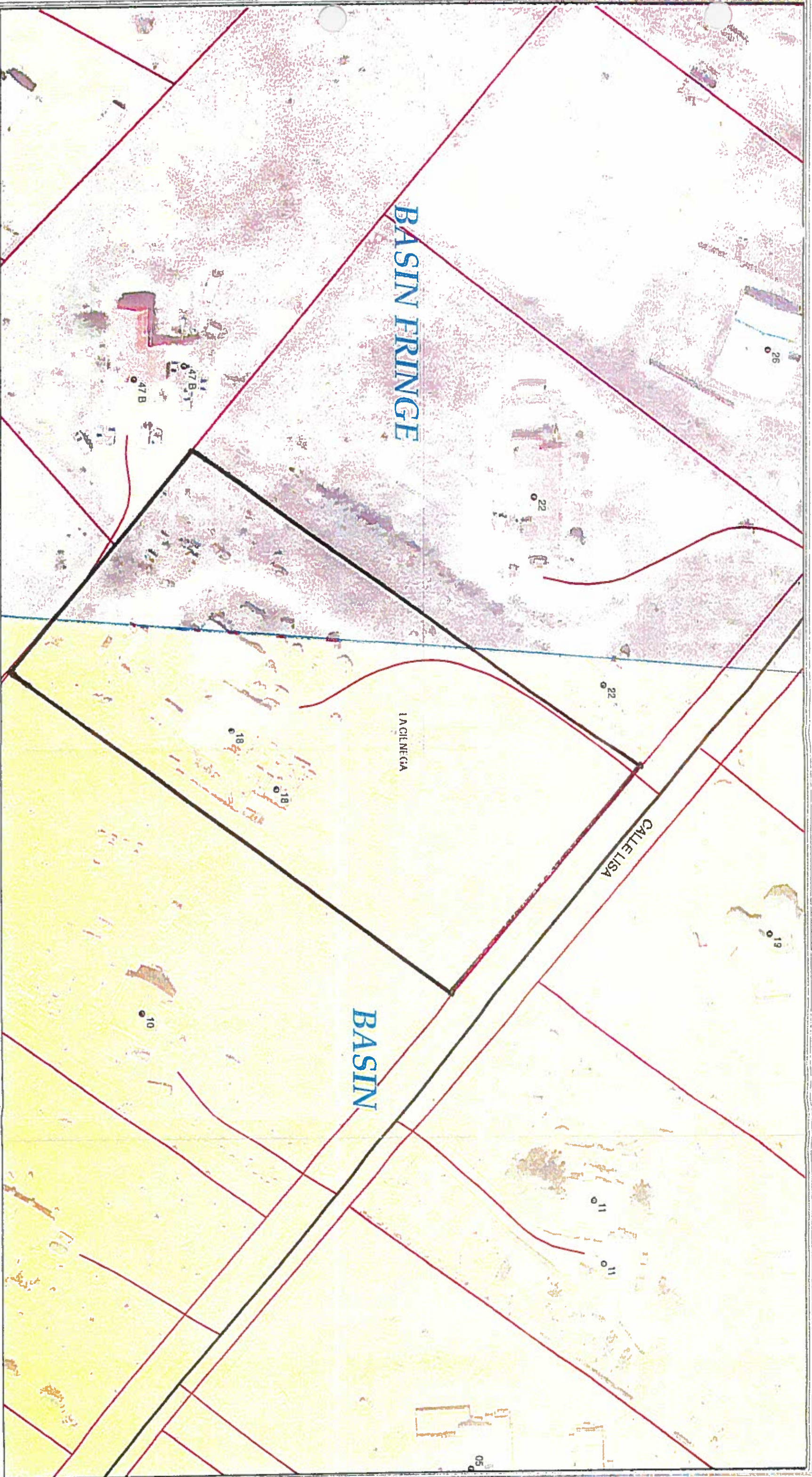


1:2,197  
1 inch represents 183,105,469 feet  
0 50 100 200 300 400 Feet

- Legend**
- ROADS
  - DRIVEWAYS
  - PARCELS

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**Legend**

- ROADS
- DRIVEWAYS
- PARCELS



2008 Imagery  
2 FOOT CONTOURS

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February 11, 2015









21





Calle Debra

Calle Lisa

#18 Calle Lisa

Camino Montoya

The newspapers of New Mexico make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now in one place on the web ([www.PublicNoticeAds.com](http://www.PublicNoticeAds.com)), not scattered among thousands of government web pages.

**County:** Santa Fe

**Printed In:** Santa Fe New Mexican

**Printed On:** 2015/02/26

Legal# 98036

Notice is hereby given that a public hearing will be held to consider a request by Victor Duran, Applicant, for a variance of Ordinance No. 2002-9, (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Zoning District) Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

The Property is located within the Traditional Historic Community of La Cieneguilla at 18 Calle Lisa, Within section 7, township 16, North, Range 8 East (Commission District 3).

A public hearing will be held in the County Commission Chambers of the Santa Fe, New Mexico on the 19th day of March 2015, at 4:00 p.m. on a petition to the County Development Review Committee and on May 12, 2015, at 5:00 p.m. before the Board of County Commissioners

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land use Administrator in writing to P.O. Box 276 Santa Fe, N.M. 87504-0276; or presented in person at the hearing.

Published in the SantaLEGAL # 98035

STATE OF NEW MEXICO COUNTY OF Santa Fe  
FIRST JUDICIAL DISTRICT COURT

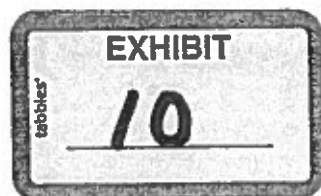
IN THE MATTER OF A PETITION FOR CHANGE OF NAME OF  
Amthony Andres Lopez-Apen, A CHILD

Case No.: D-61-CV-201500445

NOTICE OF CHANGE OF NAME

TAKE NOTICE that in accordance with the provisions of Sec. 40-8-1 through Sec. 40-8-3 NMSA 1978 et. seq. the Petitioner Andres Lopez Carmona will apply to the Honorable DAVID K. THOMSON, District Judge of the First Judicial District at the Santa Fe Judicial Complex, 225 Montezuma Ave., in Santa Fe, New Mexico at 1:45 p.m. on the 27th day of April, 2015 for an ORDER FOR CHANGE OF NAME of the child Amthony Andres Lopez-Apen to Anthony Andres Lopez-Apen

STEPHEN T. PACHECO,  
District Court Clerk  
By: Rachel Vannoy  
Deputy Court Clerk



Submitted by:  
Andres Lopez

CERTIFICATION OF POSTING

I hereby certify that the public notice posting regarding Land Development

Case # V/15-5000 was posted for 21 days on the property beginning

The 26 day of FEBRUARY. \*\*

Victor Duran  
Signature

\*Photo of posting must be provided with certification

\*\***PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 21 days. It is the applicant's responsibility to ensure that the notice is on the property for the full 21 days.

STATE OF NEW MEXICO }  
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of February, 2015, By Victor Duran.

E. J. Duran  
Notary Public

My Commission Expires:

4/29/17







WELCOME TO  
LA CIENEGA  
PLEASE  
DRIVE SLOWLY



LA CIENEGA  
WET





# **PUBLIC NOTICE**

Notice is hereby given that an application has been filed with Santa Fe County for a VARIANCE OF ORDINANCE 2002-9/1A (LAND USE) IN CLEVELAND EIGHTH DISTRICT (COMMUNITY PLANNING AREA 3, DISTRICT 2) IN CLEVELAND (COMMUNITY PLANNING DISTRICT) IN CLEVELAND (COMMUNITY PLANNING DISTRICT) UNITS ON 2.5 ACRES (more or less) located in the VICINITY OF THE ADDRESS OF APPLICANT 18 CHASE LANE, Santa Fe, New Mexico 87504.

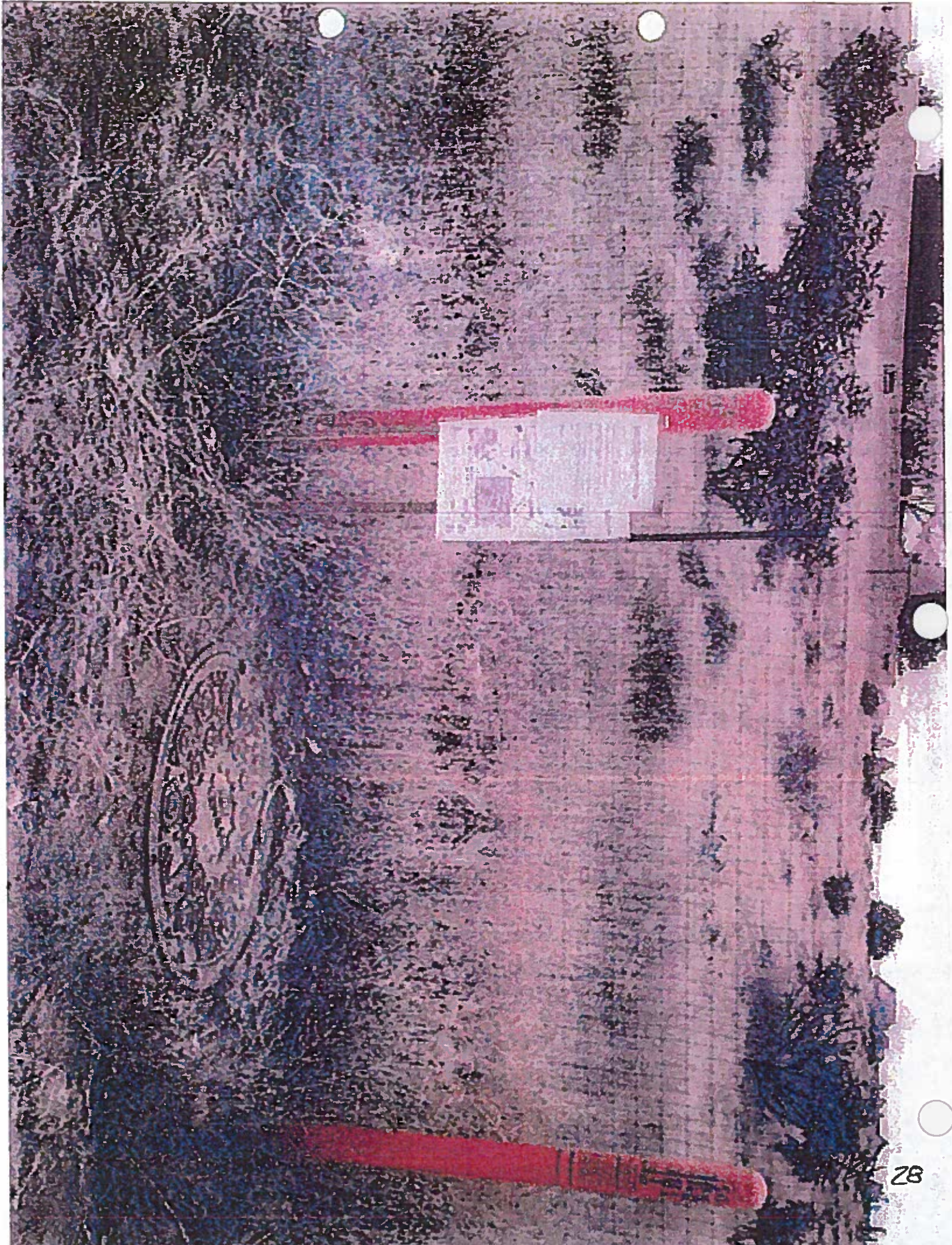
## **PUBLIC HEARING**

The Santa Fe County Commission will hold a public hearing on the application for a variance of Ordinance 2002-9/1A (LAND USE) IN CLEVELAND EIGHTH DISTRICT (COMMUNITY PLANNING AREA 3, DISTRICT 2) IN CLEVELAND (COMMUNITY PLANNING DISTRICT) UNITS ON 2.5 ACRES (more or less) located in the VICINITY OF THE ADDRESS OF APPLICANT 18 CHASE LANE, Santa Fe, New Mexico 87504, on the 19th day of December, 2002, at 4:00 pm, before the Santa Fe County Commission.

Interested parties may wish to contact the Santa Fe County Planning Department at (505) 833-2700 for more information.

**Clear Realty**







THE SANTA FE  
**NEW MEXICAN**  
Founded 1849

LEGAL# 98036

Notice is hereby given that a public hearing will be held to consider a request by Victor Duran, Applicant, for a variance of Ordinance No. 2002-9, (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Zoning District) Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

The Property is located within the Traditional Historic Community of La Cieneguilla at 18 Calle Lisa, Within section 7, township 16, North, Range 8 East (Commission District 3).

A public hearing will be held in the County Commission Chambers of the Santa Fe, New Mexico on the 19th day of March 2015, at 4:00 p.m.

on a petition to the County Development Review Committee and on May 12, 2015, at 5:00 p.m. before the Board of County Commissioners

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land use Administrator in writing to P.O. Box 276 Santa Fe, N.M. 87504-0276; or presented in person at the hearing.

Published in the Santa Fe New Mexican on February 26 2015

Continued...

THE SANTA FE  
**NEW MEXICAN**  
Founded 1849

VICTOR DURAN  
18 CALLE LASA  
SANTA FE, NM 87507

ACCOUNT: 21201  
AD Number: 00000110835  
Legal No. 98036  
(1) Times 52.30  
AFFIDAVIT 10.00  
TAX: 5.10  
TOTAL: 67.40

AFFIDAVIT OF PUBLICATION

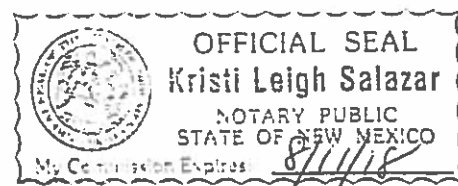
STATE OF NEW MEXICO  
COUNTY OF SANTA FE

I, W. Barnard, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe, Rio Arriba, and Los Alamos, in the State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the legal No. 98036 copy of which is here to attached was published in said newspaper 1 day(s) between 02/26/2015 and 02/26/2015 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 26th day of February, 2015 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/ [Signature]  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 25th day of February, 2015.

Notary [Signature]  
Commission Expires: August 11, 2018



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 SANTA FE NM 87507

Postage	\$ 0.49	0500
Certified Fee	\$3.30	03
Return Receipt Fee (Endorsement Required)	\$1.35	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.14	02/24/2015

Sent To: Phil Sanchez  
 Street, Apt. No., or PO Box No.: 11 Calle Lisa  
 City, State, ZIP+4: Santa Fe NM 87507  
 PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$1.35	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.14	02/24/2015

Sent To: MARKABEL KLIBARI  
 Street, Apt. No., or PO Box No.: 10 Calle Lisa  
 City, State, ZIP+4: Santa Fe NM 87507  
 PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$1.35	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.14	02/24/2015

Sent To: DAN HADRI  
 Street, Apt. No., or PO Box No.: 22 Calle Lisa  
 City, State, ZIP+4: Santa Fe NM 87507  
 PS Form 3800, August 2006 See Reverse for Instructions

Sent To: R. Becker  
 Street, Apt. No., or PO Box No.: 19 Calle Lisa  
 City, State, ZIP+4: Santa Fe NM 87507  
 PS Form 3800, August 2006 See Reverse for Instructions

Postage	\$ 0.49	0500
Certified Fee	\$3.30	03
Return Receipt Fee (Endorsement Required)	\$1.35	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.14	02/24/2015

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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.14	02/24/2015

Sent To: LA Cienega Valley Association  
 Street, Apt. No., or PO Box No.: PO Box 23554

Henry P. Roybal  
Commissioner, District 1  
  
Miguel Chavez  
Commissioner, District 2  
  
Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4  
  
Liz Stefanics  
Commissioner, District 5  
  
Katherine Miller  
County Manager

## Santa Fe County Fire Department Fire Prevention Division

### Official Submittal Review

Date	1/28/2015		
Project Name	Duran, Victor		
Project Location	18 Calle Lisa		
Description	Variance of Density	Case Manager	John Lovato
Applicant Name	Victor Duran	County Case #	15-5000
Applicant Address	PO Box 15728 Santa Fe, NM 87592	Fire District	La Cienega
Applicant Phone	505-690-0533		
Review Type	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input type="checkbox"/>
	Wildland <input checked="" type="checkbox"/>	Variance <input checked="" type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
		Inspection <input type="checkbox"/>	Lot Split <input type="checkbox"/>
Project Status	Approved <input checked="" type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denial <input type="checkbox"/>		

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated.

#### Fire Department Access

*Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal*

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) *When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.*



## Urban-Wildland Interface

### *SFC Ordinance 2001-11, Urban Wildland Interface Code*

This development's location is rated within a "Moderate Wildland-Urban Hazard Area" and shall comply with all applicable regulations within the SFC Ordinance 2001-11 / EZA 2001-04 as applicable for the Urban Wildland Interface Code governing such areas.

- **Building Materials**

Buildings and structures located within urban wildland interface areas, not including accessory structures, shall be constructed in accordance with the Fire Code, the Building Code and the Urban Wildland Interface Code.

- **Location/Addressing/Access**

Per SFC 2001-11/EZA 2001-04, addressing shall comply with Santa Fe County Rural addressing requirements.

Per SFC 2001-11 / EZA 2001-04 Chapter 4, Section 3.2 Roads and Driveways; *Access roads, driveways, driveway turnarounds and driveway turnouts shall be in accordance with provisions of the Fire Code and the Land Development Code.* Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development.

- **Vegetation Management**  
Optional.

It is recommended that the development also have a vegetation management plan to establish fire-safe areas and to minimize the threat and occurrence of fire in the urban wildland interface areas. Assistance in details and information are available through the Fire Prevention Division.

## General Requirements/Comments

- **Inspections/Acceptance Tests**

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

- **Permits**

As required

## Miguel Romero

---

**From:** Roger MORROW <santafe forestry@msn.com>  
**Sent:** Saturday, March 07, 2015 5:28 PM  
**To:** Miguel Romero  
**Subject:** FW: La Cienegilla Lot Split

---

**From:** [santafe forestry@msn.com](mailto:santafe forestry@msn.com)  
**To:** [pengreen@santafecountymn.gov](mailto:pengreen@santafecountymn.gov)  
**Subject:** La Cienegilla Lot Split  
**Date:** Mon, 2 Mar 2015 11:55:32 -0700

Dear Ms. Ellis-Green; my wife Lynn and I are long time residents of La Cienegilla and built our home here because of the rural aspect of the area. We have appreciated the tightness of this community due to the restrictions of available lots and the county rules depicting one family residence per each 2.5 acre lot. These regulations have made this a community where we know a large percentage of the current residents and we take care of each other and work together for our mutual benefits. Now it has been brought to my attention that a lot owner has petitioned the county to allow a split of his acreage to accommodate a second dwelling on that lot. I ask you, formally and please, to respect our current community status and to refuse this petition and all future requests to crowd our peaceful neighborhood. We appreciate all that the county has rendered to us in road services, law protection and the "traditional village" designation that has helped to keep this a very pleasant place to live. Thank you for all your efforts.

Sincerely yours,

Roger A. Morow

PS. Mr. Romero, the lot involved is at 18 Calle Lisa. A Mr. Archuleta informed me I should send this to you. Pretty soon everyone on the county payroll will hear from me if this keeps getting passed along. Where does the buck stop? My neighbors and I are a bit frustrated about this entire matter. Some of them think there is another attempt to move trailers into our community.



La Cienega Valley Association  
PO Box 23554  
Santa Fe, New Mexico 87502  
Preserving Our Rural Way of Life

March 15, 2015

Miguel "Mike" Romero, Case Manager  
Growth Management Department  
Santa Fe County  
102 Grant Avenue  
Santa Fe, N.M. 87501

CDRC CASES: CDRC CASE # V 15-5000 Victor Duran Variance.

Dear Mr. Romero:

The La Cienega Valley Association (LCVA) would like it to be on the record, again, that, as a rural community organization, we categorically oppose any variance requests that are the result of unpermitted and illegal acts. The LCVA strongly supports the density factors established in our community plan and supported by County ordinance. This request fails to respect those ordinances.

We value our rural way of life and seek to protect our limited ground water resources. The LCVA has learned that the variance request in La Cieneguilla, #V- 15-5000, before you is due to the homeowner's decision to ignore Santa Fe County ordinances and make structural additions and changes to create an unpermitted separate living unit. If granted, this variance request sets a precedent that our community cannot afford and our water sources cannot sustain.

The message the LCVA seeks to convey to the CDRC and the County Commission is that all home owners have a responsibility to ensure that the structures on their property are legally permitted, the septic system for two living units is properly permitted and the well in use has been approved by the Office of the State Engineer for two homes. In this case, it would appear that this due diligence was not conducted which has allowed the home owner to benefit from a prior illegal act. This isn't right and can't be tolerated.

Please uphold the ordinances that support our community plan and by doing so you are upholding the rural way of life of our community for future generations.

Please let us know if you require any additional information.

Sincerely,

Carl Dickens, President  
La Cienega Valley Association

Member Booth moved approval as amended and Member Lopez seconded. The motion carried by unanimous [6-0] voice vote.

**IV. APPROVAL OF MINUTES: February 19, 2015**

Member Martin moved to approve the February minutes as submitted. Member Booth seconded and the motion passed by unanimous [6-0] voice vote.

**V. CONSENT CALENDAR: Final Order**

**CDRC CASE # V/FDP 14-5090 Stanley Cyclone Center. Santa Fe County, Applicant, Lorn Tryk (Lorn Tryk Architects), Agent, Requested Final Development Plan Approval to Allow a 51,250 Square Foot Structure, to Be Utilized As an Event Center for Equestrian Events, on 11 Acres +. This Request Also Included a Variance of Article III, Section 2.3.6 (Height Restrictions) to Allow the Proposed Structure to Exceed 24 Feet in Height and a Variance of Article III, Section 4.4.4.F (Landscaping) of the Land Development Code. The Property is Located At 22 West Kinsell Avenue, within Sections 27 & 28, Township 11 North, Range 9 East, (Commission District 3). (Approved 7-0) Jose E. Larrañaga.**

Member Anaya moved to approve the Consent Calendar. Member Martin seconded and the motion carried unanimously. [6-0]

**VIII. NEW BUSINESS**

**A. CDRC CASE # V 15-5000 Victor Duran Variance. Victor Duran, Applicant, Requests a Variance of Ordinance No. 2002-9, (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District) Section 6.4 (Zoning Density) to Allow Two Dwelling Units on 2.5 Acres. The Property is Located within the Traditional Historic Community of La Cieneguilla At 18 Calle Lisa, within Section 7, Township 16 North, Range 8 East (Commission District 3)**

Mr. Romero gave the staff report as follows:

"The subject property, Lot C4 is part of the Vista Land Subdivision, which was created in 1974, and is recognized as a legal lot of record. The Applicant has provided proof of ownership of the property by providing a Warranty Deed which was recorded in the County Clerk's Office June 21, 1977, Book 349 Page 442. Currently the Applicant and his wife reside in the main dwelling unit, and the Applicant's son and wife reside in the second dwelling unit.

"The Applicant has stated that a liquid waste system was permitted and installed on the property in 1979 when the residence was constructed. The Applicant has provided an ariel photograph taken in 1981 that illustrates the residence on the





property. However, the New Mexico Environment Department has no record of the liquid waste system being permitted. Since that time the Applicant has obtained two new septic permits from NMED to modify the existing liquid waste systems for both the main residence and for the second dwelling unit.

"On November 18, 2014, the Building and Development Services Division received a complaint regarding a potential density violation on the subject property. On November 20, 2014, Code Enforcement conducted an inspection on the property. At that time the Applicant was issued a Notice of Violation for Unpermitted Development and junk vehicles. The Applicant has stated that in 1995 he converted his garage into a dwelling unit to help provide 24-hour care for his elderly great aunt. Since the passing of his great aunt the Applicant has allowed his son and his family to reside in the second dwelling unit.

"The Applicant states a variance is needed in order to keep the second dwelling unit. The Applicant's wish is to have his elderly father reside in the second dwelling unit along with his son and daughter-in-law to help provide care for his father."

Mr. Romero indicated staff was recommending denial of a variance of Ordinance No. 2002-9, Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres. If the decision of the CDRC is to recommend approval of the Applicant's request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per dwelling unit. A water meter shall be installed for each home within ninety (90) days of recording the order granting the variance. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of submission for a Development Permit (As per Article III Section 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a Development Permit from the Building and Development Services Division for second dwelling unit within ninety (90) days of recording the final order granting the variance. (As per Article II, Section 2). The placement of additional dwelling units of Division of Land is prohibited on the property. (As per Ordinance No. 2002-9, Section 6.4) (Zoning Density).
3. All Junk Vehicles must be removed from the property within ninety (90) days of recording the final order granting the variance. (As per Ordinance 1993-6).
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application. (As per 1997 Fire Code and NFPA Life Safety Code).
5. These conditions are precedent to granting of the variance. If the Applicant fails to comply with any conditions set forth above within the time periods provided, the variance shall be denied.

Victor Duran was placed under oath and stated when he purchased the property he was provided covenants that allowed a second dwelling. Had he known there was a

County ordinance not allowing a second dwelling he would not have purchased the property. The garage was permitted and the contractor who converted it for the benefit of his great aunt indicated there was no problem. Presently, his 86-year-old father needs full-time care which can be provided by his son and daughter-in-law. He said he has removed some vehicles and will be fencing an area for restorable vehicles.

Chair Katz asked when the property was acquired and Mr. Duran said 1977; the garage was permitted in 1990 and converted in 1995.

Member Gonzales asked about the well. Mr. Duran said the well is permitted and shared by the two units and there has never been a problem beyond a pump replacement. There is still water from 75 to 135 feet. He said the two septic systems were inspected and approved by NMED. The leach line needed improvement and he was given a year and a half to replace the tank. He described the septic systems and noted that NMED records from the past have been lost.

Member Lopez asked about the sizes of the dwellings. Mr. Duran said the main house is 2,300 square feet and the garage is 1,200. Now that it is insulated it is probably closer to 950 square feet.

There was no one from the public wishing to speak about this case.

Chair Katz referred to the letter from the La Cienega Valley Association [*Exhibit 1*] opposing the additional density and asked the applicant if there was a compelling reason he should not have to follow the rules. Mr. Duran said he spoke with his neighbors who had no complaints and understand the need to have family nearby.

Member Anaya asked if he had ever had any problems with the Association. Mr. Duran said he had not. Initially the homeowners worked principally to keep mobile homes out of the area.

Mr. Duran asked about water restrictions and said he was willing to abide by staff conditions.

Member Gonzales moved to approve CDRC Case #V 15-5000, the Victor Duran Variance, with staff conditions, including the water restriction, to be completed within 90 days. Member Lopez seconded and the motion carried unanimously [6-0].



APPLICATION FOR A LIQUID WASTE PERMIT OR REGISTRATION

MAIN HOUSE SEPTIC TANK REPLACEMENT ONLY  
SEE PERMIT SF1500 FOR GUEST HOUSE PERMIT

POSTED

Date NOTED Received: 1/15/15

NOTED Processing Number: SF150014

NOTED Use Only: Call 827-1840 to schedule an inspection a minimum of 2 working days prior to the inspection.  
Permit Approved for (circle one): 1 2 3 4 5 6 Bedrooms Multiple dwellings

Permit Fee: \$50.00  
Other:

SYSTEM OWNER'S NAME: Last, First, MI

Home Phone: Business Phone:

Duran, Victor & Gertrude

MAILING ADDRESS: Street/PO Box, City State Zip Code

18 Calle Lisa Santa Fe NM 87501

SYSTEM LOCATION: Address, City, ZIP, County - (if needed, attach directions)

18 Calle Lisa

SUBDIVISION

UNIT/PHASE BLOCK LOT/TRACT

TOWNSHIP

RANGE

SECTION

QTR

QTR

QTR

QTR

QTR

QTR

QTR

QTR

QTR

QTR

QTR

QTR

UNIFORM PROPERTY CODE: 1-044-093-469-234

PHONE: 505-982-2242

INSTALLER'S NAME & FIRM:

AAA ALLIED SEPTIC TANK SERVICE

P.O. Box 791

CID License No./Class

MM-1

MM-98

MS-1

MS-3

Nonowner

1. PERMIT APPLICATION (instructions available on request)

Application is for: ☒ New Permit ☐ Registration - existing unpermitted system ☐ Modification to an existing system ☐ Existing Permit No. (if applicable):

ATS ownership transfer

2. WASTEWATER SOURCES & DESIGN FLOWS IN GALLONS PER DAY (gpd)

A. Proposed liquid waste system use and design flow:

☒ Single family residence ☐ Multiple family units ☐ Seasonal residence ☐ Commercial/Institutional (type):

☐ Other (type):

☐ Are there other sewage sources on this property?

☐ Yes ☒ No

TOTAL WASTEWATER FLOW ON PROPERTY -

III. SITE INFORMATION

A. Lot Size: 2.5 Acres Date of Record: 6/21/1977

(nearest 0.01 acre) (Plat Date or Subdivision Date)

Ownership and lot size documentation attached: ☒ Warranty deed ☐ Property tax receipt ☐ Recorded survey ☐ Recorded plat ☐ Other, specify:

B. Depth from Ground Surface to:

Seasonal High Water Table

Bedrock, Caliche, Tight Clay

Gravel, Cobbles, Highly permeable soil

50+ feet

25+ feet

50+ feet

50+ feet

50+ feet

50+ feet

50+ feet

50+ feet

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50+ feet

50+ feet

50+ feet

EXHIBIT

14

2010000

NMED Processing Number:

SF150014

40

V. SITE PLAN: Attach plat, diagram or picture file of the lot and liquid waste system. Show setback distances from both the tank and disposal field to property lines, buildings, structures, wells, water lines, irrigation ditches, arroyos and surface waters within 200 feet of the system, and the direction of groundwater flow.

NMED Use: A plat, drawing or picture, including setback distances, in accordance with 20.7.3.302: ☐ IS attached

VI. The foregoing information is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

Signature \_\_\_\_\_  
Owner \_\_\_\_\_

Date 1/14/2015  
Owner's Authorized Representative and Contractor ☒

NMED USE ONLY



SECTA FE FIELD OFFICE

VII. N A permit for CONSTRUCTION ONLY of the liquid waste disposal system described herein is hereby:  
☒ Granted ☐ Granted subject to conditions ☐ Denied NMED Permit to Construct No. SF150014

Permit Conditions or Reasons for Denial:

NMED Representative Anna N. Gump Date 1/20/15

NOTE: This permit may be cancelled for failure to meet any condition specified; failure to complete the system within one year; for providing inaccurate or incomplete information; or for failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection.  
If you have questions call: 505-827-1840

VIII. NMED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:  
The system described above: ☐ was inspected by NMED ☐ Contractor photo inspection authorized

NMED Inspection History NMED Representative \_\_\_\_\_ Date \_\_\_\_\_

A permit for operation of the liquid waste disposal system described herein is hereby:

☐ Granted ☐ Granted subject to conditions ☐ Denied NMED Permit to Operate No. \_\_\_\_\_

Conditions of Approval: \_\_\_\_\_

NMED Representative \_\_\_\_\_ Date \_\_\_\_\_



State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
Environmental Health Bureau  
Liquid Waste Program



MAIN House

File ADA  
Allie

**UNPERMITTED ONSITE WASTEWATER SYSTEM  
INSPECTION & EVALUATION FORM**

*For Use by NMED and Installer Specialists in Issuing a Certificate of Registration for Unpermitted Systems*

If installed before February 1, 2002, the entire top of the septic tank and inlet and outlet connection points must be adequately exposed for inspection.

If installed on, or after, February 1, 2002, the entire system must be adequately exposed for inspection and determined to meet all requirements of 20.7.3 NMAC.

GENERAL INFORMATION (To be completed by Owner or Owner's Representative) Please print:

Owner VICTOR A. DURAN Phone 505-471-5752

Mailing Address 18 CAILE LISA City SFE State NM Zip 87507

Site Address SAME City SAME Zip SAME

Lot Size 2/2ACR Is dwelling unoccupied (yes or no - For how long?): No

Number of bedrooms in dwelling: 3 Date of system installation 1979

Business or other (describe) \_\_\_\_\_ No dwelling present at time of inspection

Has there ever been a backup in the house? Yes \_\_\_\_\_ Date(s) \_\_\_\_\_ No ☒ Don't know \_\_\_\_\_

Describe any known modifications made to the system \_\_\_\_\_

Date(s) of modifications \_\_\_\_\_

Describe other wastewater sources on this property: \_\_\_\_\_

Other relevant information \_\_\_\_\_

Water: On site ☒ Off site \_\_\_\_\_ Private ☒ Shared \_\_\_\_\_ Community water \_\_\_\_\_

Location of well (address) 18 CAILE LISA

NM State Engineer's Well Permit # \_\_\_\_\_

Name of Resitor (if applicable) MARES REALTY Phone \_\_\_\_\_

The above information is true to the best of my knowledge.

SANTA FE FIELD OFFICE

Owner name VICTOR A. DURAN Date 1-3-15

(Print)  
Signature Victor A. Duran

main home

EVALUATION INFORMATION (To be completed by NMED Inspector or Installer Specialist):

ONSITE WASTEWATER SYSTEM

Installed: Prior to February 1, 2002 ☒ (NMED or Installer Specialist)

On or after February 1, 2002 \_\_\_\_\_ (NMED ONLY)

Note: If the system was installed on, or after, February 1, 2002, the system must be adequately exposed by the owner, inspected by NMED and determined to meet all requirements of 20.7.3 NMAC. If installed before February 1, 2002, it is the owner's responsibility to provide documentation that verifies the installation date.

System Type: Conventional ☒, Alternative (list type): \_\_\_\_\_

\_\_\_\_ Holding tank Design wastewater flow (GPD): 375  
Tank or ATS location: Latitude N 35° 0' 36.080" Longitude W 106° 04' 30.9" Elevation 6201'

CONVENTIONAL TREATMENT (Septic Tank) UNIT:

Tank Depth (from ground surface to top) 28" feet; Tank size, in gallons: 1,000

Tank material Fiberglass Tank manufacturer(if known) \_\_\_\_\_ Date \_\_\_\_\_

SEPTIC TANK EVALUATION PROCEDURE:

Are there risers with covers at the ground surface? ☒ Yes \_\_\_\_\_ No; If at grade, are covers secure? \_\_\_\_\_ Yes \_\_\_\_\_ No

(If system was constructed on or after September 1, 2005, Liquid Waste Regulations require risers to the ground surface with secure covers to be installed by a properly licensed contractor.)

Structural integrity of tank: \_\_\_\_\_ Good ☒ Fair \_\_\_\_\_ Poor \_\_\_\_\_ Unable to determine. NEVER enter a tank unless proper confined space entry procedures are followed.

Effluent filter installed: \_\_\_\_\_ Yes N/A No (Filter required if system installed on or after September 1, 2005)

Check water level in tank, sludge and scum level, inlet and outlet tee(s), baffle wall.

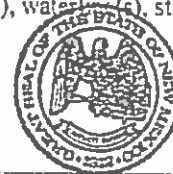
Comments: BAFFLE WALL is NOT Sealed, Baffle NOT in place. Leaking against outlet tee

STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT

Check approximate tank and disposal field setback distances to watercourse(s), well(s), waterline(s), structure(s), etc., note any deviation from current setback requirements.

Comments

meets All Setbacks



SANTA FE FIELD OFFICE

ADVANCED TREATMENT SYSTEM:

Manufacturer \_\_\_\_\_ Model N/A Functioning? \_\_\_\_\_ Yes \_\_\_\_\_ No

Maintenance Provider N/A

Maintenance Contract Expiration date \_\_\_\_\_ Date of Last Maintenance Visit \_\_\_\_\_

Attach record of Maintenance Visits and Reports and copy of Maintenance Contract.

MAIOW Home

DISPOSAL SYSTEM:

Trench(es) ☒ Bed \_\_\_\_\_ Seepage pit(s) \_\_\_\_\_ Gravelless, Specify \_\_\_\_\_ Dosing \_\_\_\_\_  
Drip \_\_\_\_\_ ET Bed \_\_\_\_\_ Split flow \_\_\_\_\_ Other \_\_\_\_\_ Dbox required \_\_\_\_\_ Dbox installed \_\_\_\_\_  
Drainfield area square feet \_\_\_\_\_ Number of trenches 2 Width of trench(es) 3'  
Length of trench(es) 2 At 60' Depth of gravel below pipe \_\_\_\_\_ Depth of trench(es) 4'-5'  
Does disposal system meet requirements of current Liquid Waste Regulations? ☒ Yes \_\_\_\_\_ No \_\_\_\_\_ N/A  
Does system include a pump? NO Pump Type \_\_\_\_\_ Does pump function? \_\_\_\_\_  
Additional information \_\_\_\_\_  
Graywater System: \_\_\_\_\_ No ☒ Yes \_\_\_\_\_ Subsurface Discharge (describe) \_\_\_\_\_

Properly installed? N/A Permitted? N/A  
Functioning? N/A Disinfection? N/A

DISPOSAL SYSTEM EVALUATION:

☒ OK \_\_\_\_\_ NO; Problems: 100 GALLON WATER TEST, NO PROBLEMS  
AT TIME OF TEST  
STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT

Is there:



Any indication of a previous failure? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Unknown  
Seepage visible on the lawn? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Unknown  
Lush vegetation present? ☒ Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown  
Ponding water in the aggregate? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Unknown  
Even distribution of effluent in the fields? ☒ Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown  
Any indication of runback from field? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Unknown

SANTA FE FIELD OFFICE

CHECKLIST SUMMARY:

- 1) Treatment Tank or ATS is in \_\_\_\_\_ Acceptable condition ☒ Unacceptable condition.  
Comments: Spoke with Aired Specialist Bill Brown - Requires replacement  
DUE TO BAF 12 ISSUE.
- 2) Absorption system is in ☒ Acceptable condition \_\_\_\_\_ Unacceptable condition.  
Comments: \_\_\_\_\_
- 3) Pump and pump tank is in \_\_\_\_\_ Acceptable condition \_\_\_\_\_ Unacceptable condition.  
Comments: \_\_\_\_\_



MAIN Home

Check one

Overall liquid waste system is: ☐ acceptable ☒ needs partial replacement ☐ needs total replacement

20.7.3 NMAC sections violated

Portion(s) of system requiring replacement Sept. Tank & Needs Replacement

If the liquid waste system is found to be in satisfactory condition, or needs only repairs, and meets the Liquid Waste Disposal Regulations in effect at the time of installation or latest modification, and the appropriate fee and penalty, if applicable, are paid, a Certificate of Registration for continued operation may be issued by NMED. If partial or total replacement or modification is needed, a Modification Permit may be issued by NMED if the appropriate fee and penalty, if applicable, are paid.

*Tank must be replaced. Modification permit is needed in this office within 15 days from 1/13/15. Chris Esquivel*

NMED Inspector or Installer Specialist Name

Ralph Baker, Dolsen 1/13/15

(Print)

Field Office

Santa Fe District 2

Signature

Date

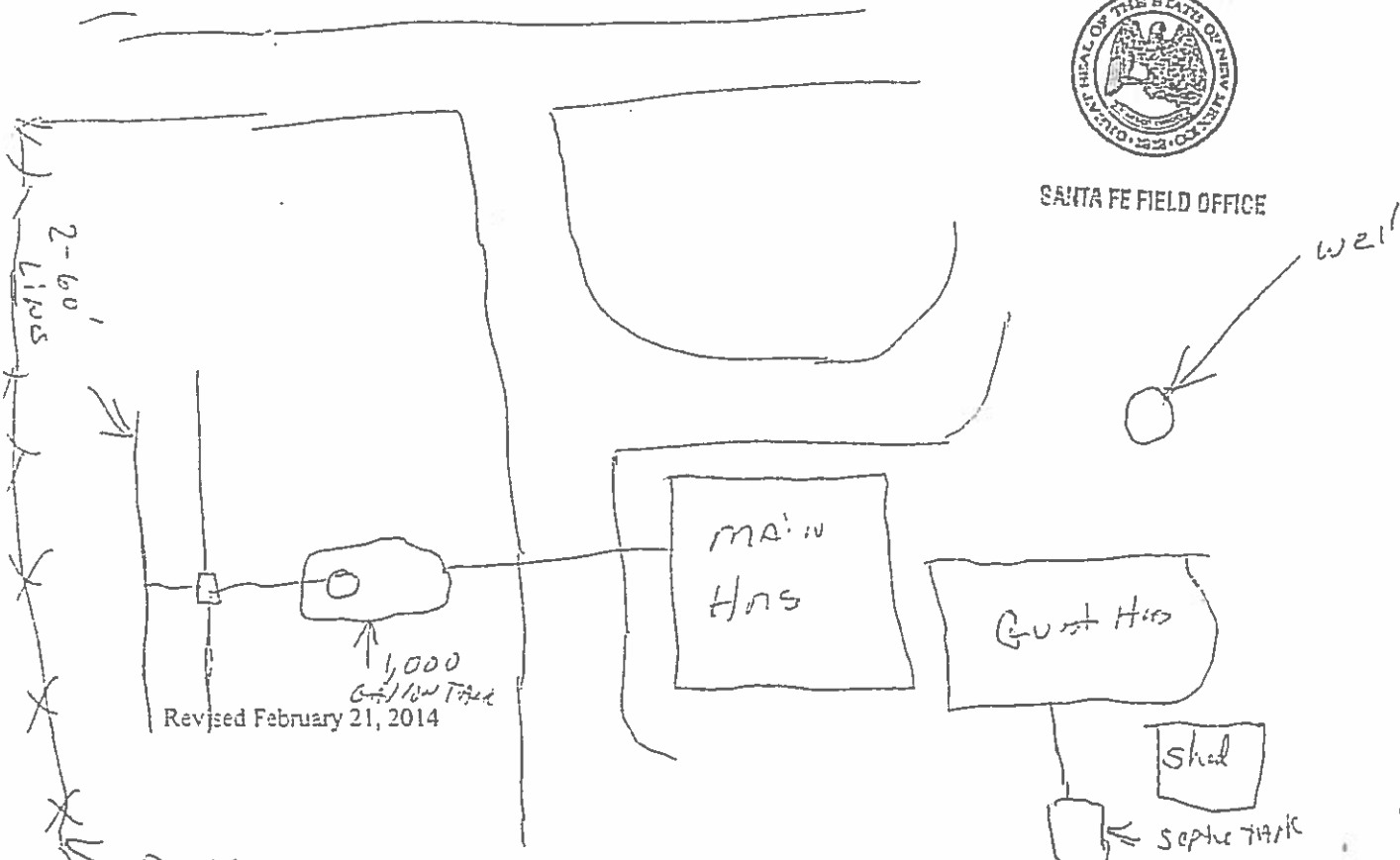
1-26-14

This report shall not be construed as a warranty that the system will function properly. Because of the numerous factors (usage, soil characteristics, previous failures, etc.) which may affect the future operation of the septic system, NMED disclaims any warranty of continued operation, either expressed or implied, arising from the evaluation of the wastewater system in this report.

STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT



SANTA FE FIELD OFFICE





NMIED Processing Number:

SF150015

V. SITE PLAN: Attach plat, diagram or picture file of the lot and liquid waste system. Show setback distances from both the tank and disposal field to property lines, buildings, structures, wells, water lines, irrigation ditches, arroyos and surface waters within 200 feet of the system, and the direction of groundwater flow.

NMIED Use: A plat, drawing or picture, including setback distances, in accordance with 20.7.3.302:      IS attached

VI. The foregoing information is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

[Signature] 1/14/2015  
Signature Date  
Owner's Authorized Representative and Contractor

NMIED USE ONLY

VII. N

A permit for CONSTRUCTION ONLY of the liquid waste disposal system described herein is hereby:

☒ Granted ☐ Granted subject to conditions ☐ Denied

NMIED Permit to Construct No.

SF150015

CEMATE FIELD OFFICE

Permit Conditions or Reasons for Denial:

[Signature] 1/20/15  
NMIED Representative Date

NOTE: This permit may be canceled for failure to meet any condition specified; failure to complete the system within one year; for providing inaccurate or incomplete information; or for failure to notify NMIED to schedule an inspection, a minimum of 2 working days prior to the inspection.

If you have questions call: 505-827-1840

VIII. NMIED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:

The system described above:      was inspected by NMIED      Contractor photo inspection authorized

NMIED Inspection History

NMIED Representative

Date

A permit for operation of the liquid waste disposal system described herein is hereby:

☐ Granted ☐ Granted subject to conditions

☐ Denied

NMIED Permit to Operate No.

Conditions of Approval:

NMIED Representative

Date



State of New Mexico  
ENVIRONMENT DEPARTMENT  
Environmental Health Bureau  
Liquid Waste Program



UNPERMITTED ONSITE WASTEWATER SYSTEM  
INSPECTION & EVALUATION FORM

For Use by NMED and Installer Specialists in Issuing a Certificate of Registration for Unpermitted Systems

If installed before February 1, 2002, the entire top of the septic tank and inlet and outlet connection points must be adequately exposed for inspection.

If installed on, or after, February 1, 2002, the entire system must be adequately exposed for inspection and determined to meet all requirements of 20.7.3 NMAC.

GENERAL INFORMATION (To be completed by Owner or Owner's Representative) Please print:

Owner VICTOR A. DURAN Phone 505-471-5752

Mailing Address 18 CAÑE LISA City SFE State NM Zip 87507

Site Address SAME City SAME Zip SAME

Lot Size 2/2001 Is dwelling unoccupied (yes or no - For how long?): NO

Number of bedrooms in dwelling: 1 Date of system installation 1995

Business or other (describe) \_\_\_\_\_ No dwelling present at time of inspection

Has there ever been a backup in the house? Yes \_\_\_\_\_ Date(s) \_\_\_\_\_ No ☒ Don't know \_\_\_\_\_

Describe any known modifications made to the system \_\_\_\_\_

Date(s) of modifications \_\_\_\_\_

Describe other wastewater sources on this property: \_\_\_\_\_

Other relevant information \_\_\_\_\_

Water: On site ☒ Off site \_\_\_\_\_ Private \_\_\_\_\_ Shared \_\_\_\_\_ Community water system \_\_\_\_\_

Location of well (address) 18 CAÑE LISA

NM State Engineer's Well Permit # \_\_\_\_\_

Name of Realtor (if applicable) N/A Phone \_\_\_\_\_



The above information is true to the best of my knowledge.

SANTA FE FIELD OFFICE

Owner name VICTOR A. DURAN Date 1-31-15

Signature Vitor A Duran (Print)

Revised February 21, 2014

EVALUATION INFORMATION (To be completed by NMED Inspector or Installer Specialist):

ONSITE WASTEWATER SYSTEM

Installed: Prior to February 1, 2002 ☒ (NMED or Installer Specialist)

On or after February 1, 2002 \_\_\_\_\_ (NMED ONLY)

Note: If the system was installed on, or after, February 1, 2002, the system must be adequately exposed by the owner, inspected by NMED and determined to meet all requirements of 20.7.3 NMAC. If installed before February 1, 2002, it is the owner's responsibility to provide documentation that verifies the installation date.

System Type: Conventional ☒, Alternative (list type): \_\_\_\_\_

\_\_\_\_\_ Holding tank

Design wastewater flow (GPD): \_\_\_\_\_

Tank or ATS location: Latitude N 35° 36.05' Longitude W 106° 06.83' Elevation 6299'

CONVENTIONAL TREATMENT (Septic Tank) UNIT:

Tank Depth (from ground surface to top) 28" feet; Tank size, in gallons: 1,000

Tank material plastic Tank manufacturer (if known) Norweco Date 1995

SEPTIC TANK EVALUATION PROCEDURE:

Are there risers with covers at the ground surface? ☒ Yes Riser within 4" of ground level No; If at grade, are covers secure? ☐ Yes ☐ No

(If system was constructed on or after September 1, 2005, Liquid Waste Regulations require risers to the ground surface with secure covers to be installed by a properly licensed contractor.)

Structural integrity of tank: ☒ Good ☐ Fair ☐ Poor ☐ Unable to determine. NEVER enter a tank unless proper confined space entry procedures are followed.

Effluent filter installed: ☐ Yes ☒ No (Filter required if system installed on or after September 1, 2005)

Check water level in tank, sludge and scum level, inlet and outlet tee(s), baffle wall.

Comments: \_\_\_\_\_

STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT

Check approximate tank and disposal field setback distances to watercourse(s), well(s), waterline(s), structure(s), etc., note any deviation from current setback requirements.

Comments

met All setbacks



SANTA FE FIELD OFFICE

ADVANCED TREATMENT SYSTEM:

Manufacturer \_\_\_\_\_ Model W/A Functioning? ☐ Yes ☐ No

Maintenance Provider W/A

Maintenance Contract Expiration date \_\_\_\_\_ Date of Last Maintenance Visit \_\_\_\_\_

Attach record of Maintenance Visits and Reports and copy of Maintenance Contract.

DISPOSAL SYSTEM:

Trench(es) ☒ Bed \_\_\_\_\_ Seepage pit(s) \_\_\_\_\_ Gravelless, Specify \_\_\_\_\_ Dosing \_\_\_\_\_  
 Drip \_\_\_\_\_ ET Bed \_\_\_\_\_ Split flow \_\_\_\_\_ Other \_\_\_\_\_ Dbox required \_\_\_\_\_ Dbox installed \_\_\_\_\_  
 Drainfield area square feet \_\_\_\_\_ Number of trenches 1 Width of trench(es) 3'  
 Length of trench(es) 114-60' Depth of gravel below pipe \_\_\_\_\_ Depth of trench(es) \_\_\_\_\_  
 Does disposal system meet requirements of current Liquid Waste Regulations? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ N/A  
 Does system include a pump? \_\_\_\_\_ Pump Type \_\_\_\_\_ Does pump function? \_\_\_\_\_  
 Additional information \_\_\_\_\_  
 Graywater System: \_\_\_\_\_ No ☒ Yes \_\_\_\_\_ Subsurface Discharge (describe) N/A  
 Properly installed? U/M Permitted? N/A  
 Functioning? \_\_\_\_\_ Disinfection? \_\_\_\_\_

DISPOSAL SYSTEM EVALUATION:

OK ☒ NO; Problems: Leach field failed water test.  
not properly functioning

STATE OF NEW MEXICO  
 ENVIRONMENT DEPARTMENT

Is there:

Any indication of a previous failure? \_\_\_\_\_ Yes \_\_\_\_\_ No ☒ Unknown  
 Seepage visible on the lawn? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Unknown  
 Lush vegetation present? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Unknown  
 Ponding water in the aggregate? SANTA FE FIELD OFFICE \_\_\_\_\_ Yes \_\_\_\_\_ No ☒ Unknown  
 Even distribution of effluent in the fields? \_\_\_\_\_ Yes \_\_\_\_\_ No ☒ Unknown  
 Any indication of runback from field? ☒ Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown

CHECKLIST SUMMARY:

1) Treatment Tank or ATS is in ☒ Acceptable condition \_\_\_\_\_ Unacceptable condition.

Comments: \_\_\_\_\_

2) Absorption system is in \_\_\_\_\_ Acceptable condition ☒ Unacceptable condition.

Comments: NOT ACCEPTING WATER

3) Pump and pump tank is in \_\_\_\_\_ Acceptable condition \_\_\_\_\_ Unacceptable condition.

Comments: \_\_\_\_\_

Revised February 21, 2014

Check one

Overall liquid waste system is: acceptable ☒ needs partial replacement ☐ needs total replacement

20.7.3 NMAC sections violated \_\_\_\_\_

Portion(s) of system requiring replacement Leach field

If the liquid waste system is found to be in satisfactory condition, or needs only repairs, and meets the Liquid Waste Disposal Regulations in effect at the time of installation or latest modification, and the appropriate fee and penalty, if applicable, are paid, a Certificate of Registration for continued operation may be issued by NMED. If partial or total replacement or modification is needed, a Modification Permit may be issued by NMED if the appropriate fee and penalty, if applicable, are paid.

*Leach field must be replaced. Modification permit is needed in this office within 15 days from 1/13/15*

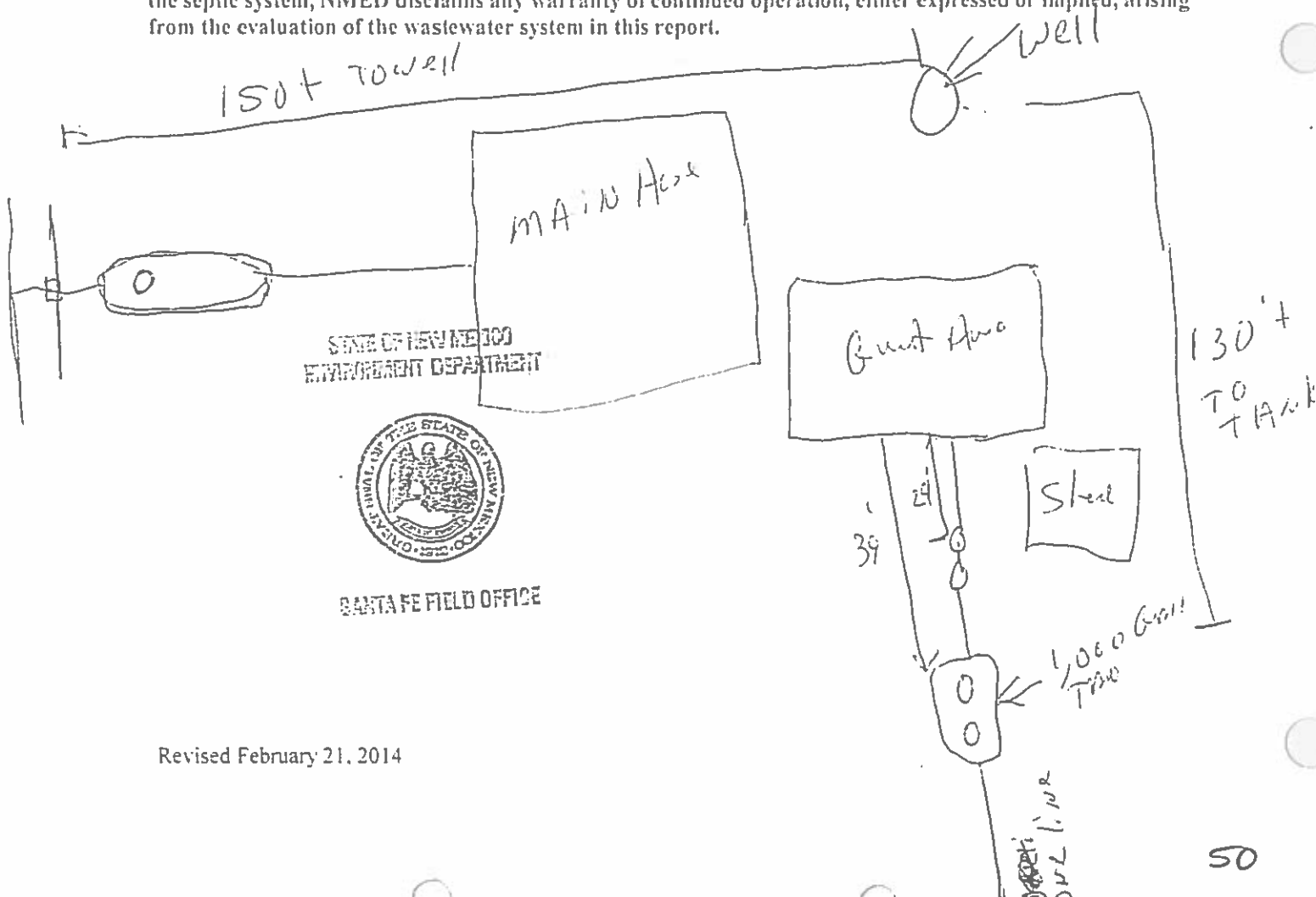
NMED Inspector (or Installer Specialist Name) Ralph Barker Dotson

(Print)

Field Office District 2 Santa Fe

Signature [Signature] Date 1-06-15

This report shall not be construed as a warranty that the system will function properly. Because of the numerous factors (usage, soil characteristics, previous failures, etc.) which may affect the future operation of the septic system, NMED disclaims any warranty of continued operation, either expressed or implied, arising from the evaluation of the wastewater system in this report.



Revised February 21, 2014





STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT  
ENVIRONMENTAL HEALTH DIVISION  
ONSITE LIQUID WASTE SYSTEM INSPECTION

Revised 07/08



NMED Permit No: SE 150015 Applicant's Name: Dufan Victor + Geraldine  
Address: 18 Calle Linda, Santa Fe, NM 87507  
Type of Inspection: ☐ INITIAL ☒ FINAL ☐ REINSPECTION ☐ COMPLAINT ☐ OTHER

1. BUILDING SEWER

- a. N/A Correct Size and Material 20.7.3.813.C  
b. N/A Required Cleanouts Present, Installed Correctly & to Finish Grade 20.7.3.813.B  
c. N/A Pipe at Correct Grade (1/8" to 1/4" per foot) 20.7.3.813.A

2. PRE-TREATMENT

- a. N/A Type: \_\_\_\_\_  
b. N/A Installed as per Plans or Manufacturer's Instructions 20.7.3.401.1  
c. N/A Other: \_\_\_\_\_

3. SEPTIC TANK / SEC./TERT. TREATMENT UNIT

- Type: ☐ Concrete ☒ Plastic/Fiberglass ☐ Sec./Tert. Treatment Unit  
a. N/A Located as per Site Plan 20.7.3.401.1  
b. N/A Correct Setbacks 20.7.3.302, Table 302.1  
c. N/A Tank Certified; Correctly Labeled 20.7.3.501; 20.7.3.501.B.4  
d. N/A Tank Correctly Oriented, Level & Depth Below Grade 20.7.3.501.J.7  
e. N/A Inlet / Outlet Pipes Sealed & Watertight  
f. N/A Inlet / Outlet Baffle or Tee with Branch Extending 12" Minimum Below Liquid Level  
g. N/A Effluent Filter Installed, Riser to Grade  
h. N/A Tank & Fittings Correctly Vented  
i. N/A Concrete Tank: Coated & Material Correct OR Type V Concrete  
j. N/A Outlet Pipe Correct Size & Material  
k. N/A Manholes Correctly Sized & Located  
l. N/A Manhole Risers at Grade, Diameter, Secure Lids & Coated  
m. N/A Tank Installed per Manufacturer's Instructions  
n. N/A Advanced Treatment Unit Installed per Manufacturer's Instructions  
o. N/A Water Tightness Test Conducted  
p. N/A Water Softener Discharge Bypassing ATU  
q. N/A Other: \_\_\_\_\_

4. SURGE, PUMP AND HOLDING TANKS

- Type: ☐ Surge Tank ☐ Pump Tank ☐ Holding Tank ☐ Other  
a. N/A Correct Size  
b. N/A Inlet/Outlet Sealed Correctly  
c. N/A Pump(s) & Alarms Installed on separate circuits, properly set and located  
d. N/A Manholes, Risers, Lids Correct and Water Tight

5. TEE/DISTRIBUTION BOX/HEADER

- a. N/A 4" Diameter  
b. N/A Tee Level/Header  
c. N/A "D" Box Level and on Concrete Slab or Stable Soil  
d. N/A "D" Box Inlet Baffled and 1" Above Outlets  
e. N/A "D" Box Outlets at Same Height; Equal Flow to Outlets  
f. N/A Tee or "D" Located a Min. of 5' From Disposal Field.  
g. N/A Other: \_\_\_\_\_

6. DISPOSAL TRENCH OR BED

- Type: ☒ Trench ☐ Chamber ☐ Bed ☐ Seepage Pit(s) ☐ Other  
a. N/A Soil Type Verified Sandy Loam  
b. N/A Correct Clearance to Ground Water or Limiting Layer

Additional comments:

Leachfield Replacement Only

- c. N/A Correctly sized disposal area  
d. N/A Correct Setbacks  
e. N/A Excavation at Correct Grade  
f. N/A Correct Spacing Between Trenches or Beds  
g. N/A Smeared Soils Not Present on Trench or Bed  
h. N/A Correct Aggregate; Type, Size, Clean and Amount  
i. N/A Correct Depth of Aggregate Above and Below Pipe  
j. N/A Correct Pipe; 2-hole, 4" Minimum Diameter, End Caps  
k. N/A Aggregate Covered with Approved Material  
l. N/A Pipe Covered with Geotextile Fabric in Place of Aggregate  
m. N/A Inspection Port(s), Capped  
n. N/A Other: \_\_\_\_\_

- Seepage Pits:  
a. N/A Underside of lid coated; riser provided as required  
b. N/A Domed covers covered with minimum 2" concrete  
c. N/A Brick or block laid end to end with staggered tight joints  
d. N/A Side wall inlet properly vented  
e. N/A Inlet/outlet fittings sealed  
f. N/A Locking or secured lid

Other Disposal Methods:

- Type: \_\_\_\_\_  
a. N/A Installed per Plans or Manufacturer's Instructions  
c. N/A Other: \_\_\_\_\_

7. ON-SITE WELL MEASUREMENTS

- a. N/A Nitrate-N: \_\_\_\_\_ (mg/L)  
b. N/A Iron: \_\_\_\_\_ (mg/L)  
c. N/A Fluoride: \_\_\_\_\_ (mg/L)

8. GIS COORDINATES

- Well: lat \_\_\_\_\_ long \_\_\_\_\_  
Elev \_\_\_\_\_  
Sys: lat \_\_\_\_\_ long \_\_\_\_\_  
Elev \_\_\_\_\_

COMMENTS/VIOLATIONS

- ☐ Continued on attached Sheet(s)  
45 ft trench  
4 1/2" 1204V E2 Flow

- ☒ Installation Approved  
☐ Installation Approved w/conditions (See Comments/Violations)  
☐ Installation Not Approved (See Comments/Violations)

10. Final approval  
☒ Granted ☐ Not Granted

NMED Inspector, \_\_\_\_\_

Date \_\_\_\_\_

I certify that this liquid waste system was installed in accordance with the permit approved by NMED, unless otherwise noted in Comments Section above.

Installer, \_\_\_\_\_

Date \_\_\_\_\_

OK - If installed and meets Requirements  
N/I - Not inspected A/P - As Proposed  
N/C - Not Compliant N/V - Not Verified  
N/A - Not applicable N/T - Not Tested EX - Existing

# AAA ALLIED SEPTIC TANK SERVICE

P.O. BOX 791  
SANTA FE, NM 87504-0791

Phone (505) 982-2242 Fax (505) 473-1872 email address: [aaaalliedseptic@msn.com](mailto:aaaalliedseptic@msn.com)

DATE: January 23, 2015

INVOICE 150123

To: Victor Duran  
18 Calle Lisa  
Santa Fe, NM 87507

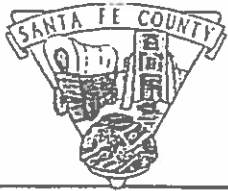
FOR: Guest House

DESCRIPTION	HOURS	RATE	AMOUNT
Leach field installation as per contract			\$2,850.00
Permit fee			50.00
Add distribution box to connect old leach field and cap off old line			150.00
Risers over distribution box, 18" and new cover			210.00
Additional pipe to move the leach field further than original proposal			85.00
Permit for Main house (required by NMED in order to issue permit for guest house. Main house must be installed within 1 year from date of permit).			50.00
<i>Find 11-10-14</i>			
SUBTOTAL			\$ 3,395.00
TAX RATE			8.19%
SALES TAX			277.97
OTHER			
TOTAL			\$ 3,672.97

MAKE ALL CHECKS PAYABLE TO AAA ALLIED SEPTIC TANK SERVICE  
WE ACCEPT VISA AND MASTER CARD - PAYMENT DUE ON RECEIPT  
Over due accounts subject to a service charge and late fees

THANK YOU FOR YOUR BUSINESS





BUILDING AND DEVELOPMENT SERVICES

COMPLAINT FORM

COMPLAINANT NAME: Katie Becker

DATE: 11/18/14

COMPLAINANT ADDRESS: 19 Calle Lisa

PHONE:

RECEIVED BY:

TIME:

ADDRESS OF VIOLATION: 18 Calle Lisa

COMPLAINT:

Property Owner has 2 Dwelling on the  
Property.

OFFICIAL USE ONLY

REFERRED TO:

NAME:

DATE:

DEPT:

BY:

DISPOSITION OF COMPLAINT:

EXHIBIT

15



### NOTICE OF VIOLATION

THIS BUILDING AND OR PROPERTY HAS BEEN INSPECTED AND IS IN VIOLATION OF SANTA FE COUNTY ORDINANCE:

☒ LAND DEVELOPMENT CODE

☒ UNPERMITTED DEVELOPMENT

1996-10 ART. 2 SEC. 2

☒ JUNK VEHICLES

1993-6 ART. 2 SEC. 2

☐ ANTI-LITTER

1993-11

☐ TERRAIN MANAGEMENT

1996-10 ART. 7 SEC. 3

☐ OTHER

☐ BUSINESS REGISTRATION

1992-3

☐ LIGHTING ORDINANCE

1996-10 ART. 3 SEC. 4

☐ RV ORDINANCE

1996-11

☐ PUBLIC NUISANCE

2009-11

☒ OTHER

YOU HAVE (5) FIVE WORKING DAYS TO CONTACT THE COUNTY AND MAKE ARRANGEMENTS TO CORRECT THE VIOLATION OR LEGAL ACTION WILL BE NECESSARY. ☐ STOP WORK ORDER

PERSON/LOCATION: Victor's Guardline Dunes 18 Calle Lisa

COMMENTS: Property has 2 Dwellings on it. Main Residence and Apartment.

They have a vehicle on - Property must be cleared from property. Property is not to be used as a campsite with property being built into court.

DATE: 11-20-14 INSPECTOR: Daniel Diaz (505) 995-2725





